

REMARKS

Claims 1-19 were pending in the application. Claim 2 has been cancelled without prejudice and claims 1, 3-5 and 7-16 have been currently amended. Therefore, claims 1 and 3-19 are currently pending.

No new matter has been added. Claim 1 has been amended to specify the structure of the deprenyl compound to be utilized for the method of treating glaucoma. Support for the amendments to claim 1 can be found, for example, at least at page 2, lines 30 through page 3, line 9 of the specification as originally filed. Claims 3-5 and 7-16 have been amended to provide proper dependencies.

Cancellation of and/or amendments to the claims should in no way be construed as an acquiescence to any of the Examiner's rejections. The cancellation of and/or amendments to the claims are being made solely to expedite prosecution of the above-identified application. Applicants reserve the option to further prosecute the same or similar claims in the present or another patent application. The cancellations of and any amendments to the claims are not related to any issues of patentability.

Rejection of Claims 1-19 Under 35 U.S.C. §112, first paragraph

Claims 1-19 are rejected under 35 U.S.C. §112, first paragraph, for not being enabled. Specifically, the Examiner asserts that "the specification, while being enabling for certain deprenyl compounds being used for the treatment of glaucoma, does not reasonably provide enablement for all compounds covered under the phrase 'a deprenyl' for the treatment of glaucoma." The Examiner further asserts that the "specification provides guidance for and it is only enabled for the treatment of glaucoma using certain deprenyl compounds" and that "one of ordinary skill in the art would be burdened with undue experimentation to determine all deprenyl compounds being capable of treating glaucoma."

Applicants respectfully traverse this rejection. However, to expedite prosecution, claim 1 has been amended to be directed to a method of treating a subject for glaucoma by administering to the subject a therapeutically effective amount of a deprenyl compound, wherein the deprenyl

compound comprises the structure
$$\begin{array}{c} \text{R}_4-\text{R}_3-\text{CH}-\text{N} \\ | \quad \diagup \quad \diagdown \\ \text{R}_2 \quad \text{R}_1 \quad \text{R}_5-\text{R}_6 \end{array}$$
, wherein R₁ is hydrogen, alkyl, alkenyl, alkynyl, aralkyl, alkylcarbonyl, arylcarbonyl, alkoxycarbonyl, or aryloxycarbonyl; R₂ is hydrogen or alkyl; R₃ is a single bond, alkylene, or $-(\text{CH}_2)_n-\text{X}-(\text{CH}_2)_m-$; in which X is O, S, or N-methyl; m is 1 or 2; and n is 0, 1, or 2; R₄ is alkyl, alkenyl, alkynyl, heterocyclyl, aryl or aralkyl; and R₅ is alkylene, alkenylene, alkynylene and alkoxylenylene; and R₆ is C₃-C₆ cycloalkyl or

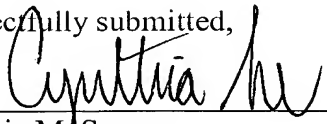
—C≡CH; or R₂ and R₄-R₃ are joined to form, together with the methine to which they are attached, a cyclic or polycyclic group; and pharmaceutically acceptable salts thereof; such that the subject is treated for glaucoma.

Applicants respectfully submit that one of ordinary skill in the art in possession of the specification at the time of filing would have been able to determine what deprenyl compounds would be useful for treating glaucoma, as claimed in amended claim 1 and its dependent claims. For example, the specification describes the structure of deprenyl compounds useful for the treatment of glaucoma. Further, Example 1 gives detailed experimental procedures for methods for using a deprenyl compound for the treatment of glaucoma. A skilled artisan would have been able to use the description of the deprenyl compounds disclosed in the specification as a guide for treating a subject suffering from glaucoma, as described in Example 1. Accordingly, Applicants respectfully submit that the specification is enabling for the deprenyl compounds disclosed in amended claim 1 and therefore respectfully request reconsideration and withdrawal of this rejection under 35 U.S.C. §112, first paragraph.

SUMMARY

It is respectfully submitted that this application is in condition for allowance. If there are any remaining issues or the Examiner believes that a telephone conference with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

Dated: September 29, 2006

Respectfully submitted,

By _____
Cynthia M. Soroos
Registration No.: 53,623
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant